

United States District Court
Eastern District of Michigan

United States of America

**ORDER OF DETENTION PENDING REMOVAL
TO GRAND RAPIDS**

v.

Misha Moore

Case Number:06-30181

Defendant

Western District of Mi: 1:06-mj-12

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

(1) I find that: **NOT A PRESUMPTION CASE**

- ☐ there is probable cause to believe that the defendant has committed an offense
- ☐ for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or _____;
- ☐ under 18 U.S.C. § 924(c).

(2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

✓ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear. **ALTHOUGH SHE TURNED HERSELF IN, THERE IS ISSUE OF HER POSSESSION OF FALSE IDENTITY DOCUMENTS AND NO STABLE RESIDENCE.**

☐ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community. **NO EVIDENCE OF ANY DANGEROUSNESS**

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

- ✓ (a) nature of the offense–THIS IS AN ECONOMIC CRIME, NO INDICATION OF VIOLENCE. Involves postage stamps obtained by writing bad checks . Guidelines for this offense are SIX to 12 MONTHS – Or less if she pleads guilty.
- ✓ (b) weight of the evidence–Unclear–is a complaint and her role is uncertain. Many people involved, she appears to be a minor player. Def gave a statement to the police admitting her involvement and that of others. Loss to post office is \$20,000.
- ✓ (c) history and characteristics of the defendant
 - ✓ 1) physical and mental condition–Appears to be in good physical health, perhaps some past drug use per criminal history.
 - ✓ 2) employment, financial, family ties–Age 24, lifetime Detroit resident. Her family reports that she is living a transient lifestyle, even to living in a car, and not living with the family. Another family member (juvenile) involved in this alleged criminal activity per complaint. Sister in court, mother has no telephone, evidence of willingness or suitability to be third party custodian but court feels should be electronically monitored and there is no telephone service at any home.
 - ✓ 3) criminal history and record of appearance–There are numerous outstanding state warrants.
- ✓ (d) probation, parole or bond at time of the alleged offense–Not significant
- ✓ (e) danger to another person or community–No evidence of dangerousness.

Defendant turned herself into the agent, providing identification in the name of Ashanti Green, one of the names used in the complaint as related to the identity theft ring under investigation.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of

the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date 4/6/2006

s/Virginia M. Morgan

Signature of Judge

Virginia M. Morgan, United States Magistrate Judge

Name and Title of Judge